

Truro Board of Selectmen
Meeting Minutes – May 26, 2015
Truro Town Hall, 5:00pm

Members Present: Paul Wisotzky-Chair, Jan Worthington-Vice Chair, Maureen Burgess-Clerk, Jay Coburn and Robert Weinstein

Others Present: Town Administrator Rae Ann Palmer, Trudi Brazil Town Accountant, Jay Norton DPW Director, Chief of Police Kyle Takakjian and Kelly Clark, Recreation and Beach Director

Chairman Coburn called the meeting to order at 5:00 p.m.

PUBLIC COMMENT NONE

No public comments from the public were heard.

PUBLIC HEARINGS NONE

BOARD/COMMITTEE/COMMISSION APPOINTMENTS NONE

TABLED ITEMS NONE

BOARD OF SELECTMEN ACTION

Vote on Election of Board of Selectmen Officers

Selectmen Weinstein made a motion to nominate Paul Wisotzky as Chair. Selectmen

Worthington seconded the motion. So voted: 4-0-1. Selectmen Wisotzky abstained.

Selectmen Chair Wisotzky thanked former Selectmen Chair Coburn for his leadership. **Selectmen**

Burgess made a motion to nominate Jan Worthington as Vice-Chairman. Selectmen Coburn seconded the motion. So voted 4-0-1. Selectmen Worthington abstained.

Selectmen Worthington made a motion to nominate Maureen Burgess as Clerk. Selectmen Coburn seconded the motion. So voted 4-0-1. Selectmen Burgess abstained.

Review and Approve Board of Selectmen Liaison Assignments

Selectmen Chair Wisotzky explained the role of the BoS liaison. **Selectmen Chair Wisotzky asked for a motion to approve this year's liaison assignments. Selectmen Coburn so moved. Selectmen Selectmen Burgess seconded the motion. So voted unanimously 5-0.**

Parking on South Pamet Road

Jay Norton, DPW Director, spoke of the proposed 9 spaces on South Pamet Road. One abutter that had contacted him was concerned about cars filling in between the two parking location gaps he reported. The parking spots will be well marked. Town Administrator Rae Ann Palmer, stated that since recent flooding a few more beach parking spaces have additionally been lost at Ballston. **Selectmen Coburn moved to authorize the addition of nine parking spaces locations as proposed by town staff on South Pamet Road for parking by permit for Ballston beach. Selectmen Weinstein seconded the motion.** Dennis Clark, spoke as an abutter, that he was concerned that there was limited time to discuss the options. Madilyn Miller, of South Pamet Rd, was concerned about the safety of pedestrians with sporadic parking spaces and littering and porto-potties. She stated concern about enforcement and the use of her driveway as a turn around location for vehicles. She suggested a shuttle from Truro Central School. Jay Norton addressed her concerns. Chief Takakjian spoke of the discovery of the

locations based on line of sight. Selectmen Chair Wisotzky stated that the Board of Selectmen are beginning conversations on utilizing shuttles. Ms. Miller questioned if the parking spots would then remain in place and if her property taxes would be reduced due to the parking spots. Selectmen Worthington stated that parking along South Pamet Road could be revisited this summer. There was a discussion on issues relating to trespassing. Jerry Spier, an abutter on South Pamet Road, spoke of the problematic issues with additional road side parking. Selectmen Worthington responded that there are many layers of agencies restricting what they can do with the sand in the parking lot. Selectmen Coburn spoke of the long range issues with the receding dunes and loss of the parking lot over time. Selectmen Worthington asked for additional warning signs to the additional foot traffic.

There was a brief discussion regarding whether this was a public hearing. Morgan Clark, stated that the abutters are not comfortable with having parking along South Pamet Road and are very concerned with the safety issues. Carolyn Miller spoke of the many turtles that travel across the road and asked for turtle signage. Selectmen Worthington acknowledged the many concerns and suggested a trial basis of implementing the parking. Selectmen Coburn asked for data as to when the parking lot is at capacity. Kelly Clark, Recreation and Beach Director stated that it is sand bar related which beaches are the most popular in a given day within the season. She spoke to the location of the beach attendants at Ballston beach. Town Administrator Rae Ann Palmer suggested that parking be revisited in 30 days after the start of the season, noting if it is causing major problems they will rediscuss the situation. **Selectmen Coburn made an amendment to the motion to revisit the decision on the 14th of July. So voted unanimously 5-0.**

Discussion on the Parking at Pamet Harbor with Pamet Harbor Commission

Selectmen Chair Wisotzky stated that the Board of Selectmen has been asked to postpone the implementation of the parking regulations that were agreed upon in the Land Management Agreement with the Department of Fish and Game in Massachusetts. He explained that the state helps Truro maintain the parking lot, ramp, dock and floats. There are certain State rules and regulations that the town must adhere to which includes the parking regulation. When the Town went into the Land Management Agreement it was supported by the Pamet Harbor Commission.

Doug Cameron, from the Department of Fish and Game, who is the Assistant to the Director of the Office of Boating Access, spoke on his role at that Agency. He stated that this is a very common agreement utilized by many towns. The towns oversee the day to day maintenance. He added that there must be adherence to 320 CMR 2.0. The facility's main function is to provide boating access for the general public. Activities associated with commercial activity are prohibited per CMR. He next spoke of designated parking spaces noting Section 5 of the Agreement. He stated how many trailer and single space car spaces there were at the time the agreement was signed.

Selectmen Chair Wisotzky asked if the town could entertain postponing the regulations. Mr. Cameron responded that postponing it would be different to the agreement and henceforth would not be allowed. Selectmen Coburn stated that the agreement was signed so that the Board of Selectmen could increase fees for the operation of Pamet Harbor. There was a brief discussion that clients of Charter boats are not permitted to park their vehicles which is covered under number 5 of the agreement.

Tim Silva, Chair of the Pamet Harbor Commission, proposed a walking bridge be placed in the location of the old railroad bridge to the Corn Hill Beach to assist with parking. Selectmen Chair Wisotzky responded if Mr. Silva wished to pursue this, to bring it to a separate meeting for an additional discussion on the topic. Selectmen Chair Wisotzky stated that he and Vice Chair

Worthington have filed Ethics Disclosures. Selectmen Weinstein read a letter from the State Ethics Commission in which they conceded no violation was made by Selectmen Weinstein as a mooring holder and BoS Member signing the Land Management Agreement. He added that he feels that he can weigh in on these issues.

Monize Rose, Truro resident stated that he felt that the Land Manegment Agreement keeps people out of the harbor. He added that the town's people pay for dredging every year. Mr. Cameron stated that there are other Sttae Agencies that assist with the dredging. Town Administrator, Rae Ann Palmer, stated that the Agreement prohibits long term parking, not short term parking and is in the discretion of the Harbor Master. Mr. Cameron added that the intent of the Agreement is to preserve the parking lot for the boating public. He added that the rules and regulations are in place to help with the management of the parking lot.

Selectmen Coburn added that there are issues when the parking lot is at its maximum and they are not shutting tax payers out of the harbor. When the parking lot is full priority is going to be given to the boat owners. Selectmen Chair Wisotzky added that the Town is going to be doing an accessment of the use of the Harbor daily this summer. Mr. Silva explained the need for the dredging.

Eric Morea, of the Pamet Harbor Commission, asked if the prior agreement had specific parking regulations. Mr. Cameron responded that it didn't as it hadn't pertained to the issue of the mooring spaces or car top spaces. Mr. Morea questioned why the parking regulations were not implemented since 1964. Selectmen Chair Wisotzky responded by noting the history of the fee adjustment meant revisiting the Land Management Agreement.

Mr. Morea questioned the length of time that a dinghy's and equipment remain on the docks. He showed pictures of equipment that is left on the dock. Selectmen Weinstein reflected on a conversation that he had with Jack Sheppard, Director of the Office of Boating Access, who said that equipment such as lobster pots is seasonal and as long as they are not impacting people's ability to use the floats it is fine. The dinghy's are used by the mooring holders to access their floats. Mr. Cameron added that it is up to the town to make the whole operation work. Selectmen Chair Wisotzky added that it was up to the Habror Master to make sure that the operations run smoothly.

Selectmen Coburn added that if there are issues then perhaps their needs to be changes made. He added that there is some flexibility when the Harbor is not operating at maximum capacity. When it is at maximum capacity the Town has to adbid by the LMA. Elena Rice, came before the Board of Selectmen, she felt that everything despite the Charter customers is being allowed. Selectmen Chair Wisotzky responded that they will have flexibility. She showed a picture of an empty parking lot on the day that they were going to be issued a fine of \$50 if their charter customers were to park in the lot. Selectmen Worthington responded that they need to clarify this matter with the Harbor Master as it is not their intention when the lot is empty to enforce the parking lot rules. Ms. Palmer responded for clarification that it is when the Charter fishermen arrive early in the morning and leave their vehicles and trailers for long durations that it becomes an issue. The shoulder season is not the issue but when the summer season starts there is an issue and it is hard to manage. Mr. Cameron stated that commercial use of the parking lot is not an allowed use. Ms. Rice spoke of the history of her husband's charter fishing business. Selectmen Worthington spoke to the size of her charter business and what was really at issue. It was discussed what was said August 2014 at the Board of Selectmen meeting and what had been conveyed then.

Mr. Cameron reiterated that the rules and regulations are in place and should be adhered to adding when there are problems the rules should be enforced. Ms. Rice spoke of short term parking being allowed due to a Town memorandum. Ms. Palmer stated that these people are short term and can move their vehicle if the Harbor Master requires it. Selectmen Worthington stated that she empathized with how the change was affecting people and perhaps the Land Management Agreement needs to be revisited if this is not going to work. Mr. Cameron responded that the agreement can be revised at any time but the rules and regulations are in place and it is the charge of the State to provide boating access for the general public. Ms. Rice asked the Board to clarify what the procedure will be going forward. Selectmen Chair Wisotzky stated that the agreement sets the framework. Joe Francis, stated that the Land Management Agreement has been changed and asked that the parking remain status quo. Selectmen Coburn stated that he is not in favor of putting this on hold because it puts the fee increases on hold. Selectmen Chair Wisotzky stated that they cannot postpone enforcement. Mr. Francis stated that the agreement has changed with the addition of allowing mooring holders parking spaces. Mr. Silva stated that the Pamet Harbor Commission endorsed the agreement with traditional uses in place. Selectmen Chair Wisotzky stated that "traditional uses" is not in the LMA hence there is some latitude. Sean Packard asked for the definition of long term, short term and special permit.

Ms. Palmer explained who will be given parking permits and the definition of both long and short term parking. Tony Jackett, Harbor Master, stated that there is discretion when there is no pressure on the parking lot. Selectmen Chair Wisotzky stated that they will be doing the survey this summer. **Selectmen Weinstein made a motion to approve the enforcement of the new single spaced parking regulations. Selectmen Burgess seconded the motion. So voted unanimously 5-0.**

Aquaculture Development Area Grant Holders Annual Report

Tony Jackett, Harbor Master, joined by two ADA grant holders Steve Wisbauer and Dana Pazolt were before the Board of Selectmen to report on their first year in the ADA. Mr. Jackett commented that there are 120K oysters planted so far. Mr. Pazolt explained that licenses were issued late in the season for the first year. He thanked Mr. Jackett for his support but again deflected to the fact that the state initially held the grant holders up from getting propagation permits thus affecting ordering oyster seed. Mr. Pazolt commented briefly on seeking a Home Rule Petition so that the Division of Marine Fisheries would have little to do with their Aquaculture Grant. Steve Wisbauer stated that most of the grant holders are moving along slowly but are starting to see growth.

Mr. Wisbauer spoke of the difficult winter that affected everyone's gear. Selectmen Weinstein spoke highly of Mr. Pazolt's operation and of the support of the Board of Selectmen towards aquaculture businesses. Mr. Jackett responded to Selectmen Coburn that Provincetown additionally has awarded all 25 grants in their waters with Truro having four actively farmed. Mr. Jackett responded further that he didn't see getting access to capital for gear as a barrier to getting the grants running and the State provides a list of hatcheries for people. Selectmen Coburn agreed with Selectmen Weinstein's sentiment that the Board of Selectmen remain supportive of sustained economical development and stated the agencies that would like to assist both financially and technically. Mr. Pazolt explained to Selectmen Burgess that as an intertidal grant holder he had a head start on the deep water grant hence why he is able to go to market currently. Mr. Pazolt explained the lengthy process to get the oysters ready for market from seed. Mr. Wisbauer also spoke of the constant changes in the industry. Regan McCarthy, of the TNRTA, advised that the grant holders implement a newsletter. Mr. Jackett noted that there has been extensive coverage in the newspapers.

Discussion on Vibrio Parahaemolyticus (Control Plan for Oysters)

Tony Jackett explained the recent history of Vibrio with the subsequent rise in water temperatures in 2012-2013. He stated that the State implemented a strict plan for people to adhere to in order to prevent the condition through the control plan. Selectmen Burgess asked if there is a policy for the grant holders to attend training. Mr. Jackett responded that they are encouraged to attend the workshops. Mr. Wisbauer added that the State is working to add additional training and information online. Selectmen Coburn stated that the State is leading a very robust training and information services. Mr. Pazolt and Mr. Wisbauer both agreed that the State is listening to the growers more.

Discussion on the Interim Fire Chief Consultant

Selectmen Chair Wisotzky stated that the Town of Truro received three proposals with a review done by Rae Ann, Town Administrator, Selectmen Worthington and himself. All three are being rejected due to 1) timeline would not meet the needed frame work 2) the proposals were not responsive to this being an interim Fire Chief and not a permanent Chief. Town Administrator Rae Ann Palmer stated that she has reached out to a Massachusetts based search firm, Badge Quest, and asked that they submit a modified proposal. She noted that this would give the town an interim Chief by the time the current Chief has to leave. Selectmen Coburn asked if there was still an option for support from Wellfleet. She responded that the door will remain open for Administrative support for the Fire department from the Town of Wellfleet.

Coburn moved that the Board of Selectmen reject all respondents of the Interim Fire Chief Search Consultant RFP and the Board of Selectmen authorize the Town Administrator to seek quotes to hire a firm to complete a modified search process. Weinstein seconded the motion. So voted 4-0-1. Selectmen Chair Wisotzky abstained.

Discussion of FY16 Goals and Objectives

Selectmen Coburn started with ideas he has for the FY16 Goals and Objectives. Under Town Finance he added: Renew the Town Meeting Vote in support of a Home Rule Petition to extend the room's tax to short-term vacation rental of private homes and condominiums. Under Long-Range Planning he added: 1) The Board of Selectmen and the Finance Committee will work to develop a five year strategic plan for the Town with a link to services and finances, 2) The Town Administrator will meet monthly with the Town Administrators of Provincetown and Wellfleet to explore opportunities for greater collaboration of shared services. He explained to Selectmen Worthington that they need to discuss where they want to see Truro in a decade's time and what are the financial implications and services of that future, 3) The Town Administrator will meet monthly with the Town Administrators of Provincetown and Wellfleet to explore opportunities for greater collaboration and shared services, 4) The Town will dedicate increased staff resources in support of the creation of more affordable housing and explore partnering with the Town of Wellfleet to hire an Affordable Housing Specialist. He felt that staff could further assist the Town and Boards about affordable housing and perhaps partner with Wellfleet for an affordable housing specialist through CPC funds.

Under Environment he added, 1) The Board of Selectmen, will propose a By-law at the Annual Town Meeting, similar to Provincetown and Wellfleet, to ban single-use plastic bags in the Town. Under Outreach and Community Relations he added, 1) The Town Administrator will establish a Facebook Page to enable the Town to more effectively communicate with residents and visitors and coordinate the Facebook pages with the Police, Recreation and Beach Department, 2) The Town will equip an additional meeting room with cameras and sound to record meetings of Town Boards and Commissions so that more than one meeting can be recorded at one time.

Under Town Administration he added, 1) The Town Administrator will conduct a comprehensive review of the staffing structure of the Town and propose changes necessary to further this goal at Town Hall that is sustainable over the long term.

Under Town Services he added, 1) The Board of Selectmen will revise Policy Memo #17 regarding maintenance and snow removal on private roads to differentiate between private roads, private roads in subdivisions and roads within the Cape Cod National Seashore. He explained that due to the last winter there are several classes of private roads and there needs to be a better solution with regards private roads in the Cape Cod National Seashore.

Selectmen Vice-Chair Worthington added 1) goal be added that has something to do with transportation mainly with respect to parking issues at the beaches.

Selectmen Burgess added under Long-Range Planning Public Policy 1) Survey of Town Employees regarding rental housing, 2) and explore means of acquiring rentals for town employees. It was explained that this would not be accomplished if State and Federal funds were used, 3) Impact on year round Condo use in conjunction with the Chamber of Commerce and WROC, 4) setting policy of snow plowing on private roads. Under Environment 1) The Board of Selectmen and the Town Administrator in conjunction with the Conservation Agent via the Ballston Beach Upper Pamet Valley Working Group will develop an adaptive management plan for restoring tidal flow to the Pamet River to reduce flooding at the Pamet River Valley. Under Town Services 1) Beach Commission, Board of Selectmen and Town Administrator will explore the feasibility of shuttle during heavy summer uses from Head of the Meadow to Coast Guard and Coast Guard to Ballston. She added 1) update on the Hazard Mitigation plan and to assess town infrastructure and residential property risk with respect to climate change. Under Town Services, 1) The Board of Selectmen and Town Administrator and the Animal Control Officer will work with the Town of Wellfleet to provide an adequate all weather shelter for stray and lost pets, 2) Board of Selectmen and the Town Administrator and the IT Director could provide notice of lost pets on the Town Website.

Under Finance or Long-Range Planning Weinstein added 1) the potentials for regionalizing Public Safety Services with Wellfleet and Provincetown. Under Environment 1) He asked for protection of South Pamet Road beginning at the overpass and to begin discussion with MassDOT on the exploration of the culvert. Under Transportation 1) COA vehicles are utilized to the fullest extent for meetings and town events. Under Town Administration 1) Policy of Legal Counsel review and an updated access to Town Counsel policy and how the Town Administrator accesses those services.

Vice-Chair Selectmen Worthington asked to update the goal on the regional shelter in Provincetown with the assistance of the Police Chief, Fire Chief and COA.

Selectmen Chair Wisotzky added 1) review of the organization of Town Hall staffing completed early for the budget process, 2) a better process to work with other committees for shared information and cohesive priorities, 3) engage citizenry around priorities and a way to gather that information mainly with respect to the budget, 4) continue regionalization conversations with Provincetown that include Wellfleet, 5) Beach transportation and Parking 6) support citizen volunteers and leaders, with respect to running meetings, etc. 7) continue conversation around year round condo use in order to bring it back to Town Meeting next year. Town Administrator Rae Ann Palmer noted that they were able to establish a joint meeting with the Planning Board for one of the meeting dates in June in order to begin conversations on the goals. It was agreed to have ZBA at the same meeting.

Regan McCarthy of the NRTTA, suggested that the town was split on the use of year round condos and the Non-resident Truro Taxpayers Association would like to see more study done on this topic. She stated that their board would assist in funding this study. She stated that there are many factors that will be impacted including water use and environmental impact. Selectmen Chair Wisotzky suggested that this be discussed in conjunction with the Planning Board and how to move forward with this topic. She suggested that a survey could be utilized. Selectmen Worthington thanked Ms. Regan for her generosity but added that the town will cover the expense of any study and she felt that the town should conduct the survey. There was a brief discussion as to when the public could contribute to the goals and objectives.

6. CONSENT AGENDA

- A. Review and Approve and Authorize the Chair to sign:
 - 1. Close out of Staging Permits Corn Hill Beach (Bayberry Gardens) and Ballston Beach (Greg Morris)
- B. Review and Approve One Day Entertainment License – Summer Kick off –Recreation Department 6/13 3-6pm and authorize the Chair to sign application.
- C. Review and Approve 2015 Farmers' Market Use of Pamet Park and Entertainment License: Mondays 6/8-9/28, 7-12:30pm and waiver of cost and authorize the Chair to sign applications
- D. Review and Approve Changr of Hours Liquor License-Salty Market LLC (Sunday's 10AM) per MGL 138§15
- E. Review and Approve One Day Alcohol and Entertainment Licences: Truro Historical Society; and ABCC Charity Wine License Application and Authorize the Chair to sign applications
- F. Review and Approve Ocean to Bay Run /Walk
- G. Review and Approve Board of Selectmen meeting date of June 23, 2015
- H. Review and Approve Appointments to the Permanent Charter Review Committee and revised Charge
- I. Review and Approve the following Licenses: Transient Vendor License-Perry's Furniture
- J. Review and Approve Amended Form 43 for Payomet Inc. Non-Profit Corporation (dba Payomet Performing Arts Center) for Seasonal Wine and Beer Alcohol Licence Applications
- K. Review and Approve inutes of April rr, 2-15 and May 6, 2015
- L. Review and Approve Engagement Letters for Town Auditor and Authorize the Chair to sign

Selectmen Chair Wisotzky asked if there were any questions relative to the Consent Agenda.

Selectmen Weinstein stated that the Farmers' market Use of Town property and fee waiver wasn't approved last year. Selectmen Chair Wisotzky noted that this request had been amended on Friday.

Selectmen Coburn made a motion to approve the Consent Agenda. Selectmen Burges seconded the motion. So voted unanimously 5-0.

Selectmen Reports and Liaison Reports

Selectmen Coburn-Nothing to report.

Selectmen Worthington-Spoke highly of the Annual Chamber of Commerce dinner as well as Selectmen's hours. She spoke of a recent resignation from the Provincetown Water and Sewer Board and knows someone who would like to serve.

Selectmen Burgess-attended the MOA III Herring River Restoration Meeting, and spoke of their latest activities.

Selectmen Weinstein-Nothing to report.

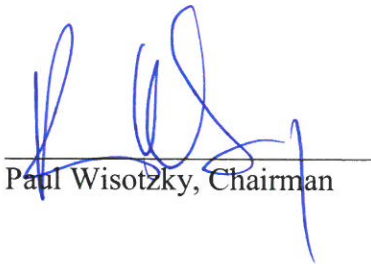
Next Meeting Agenda: Public Hearing Food Truck for Head of the Meadow Beach, Conservation Restriction for Edgewood farm, Entertainment Licenses, and Appointments. There was a request for an update on the Ballston Beach signage. Selectmen Coburn asked about the next steps for Town

Counsel. Ms. Palmer indicated that there were 26 cases some that need to be closed. She will request a transitional report from current Town Counsel on the cases. There was also a request to have a meeting calendar at their next meeting for discussion.


Town Administrator's Report: No report was given

At 7:49 pm Selectmen Chair Wisotzky asked for a motion to adjourn. Selectmen Coburn so moved. Selectmen Burgess seconded the motion. So voted unanimously 5-0.

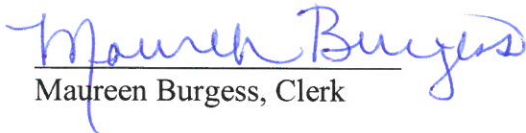
Respectfully submitted, Nicole Tudor, Board of Selectmen Secretary



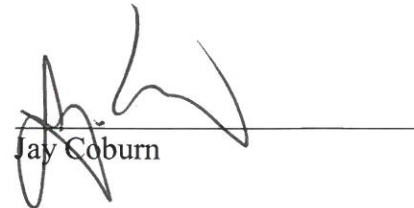
Paul Wisotzky, Chairman



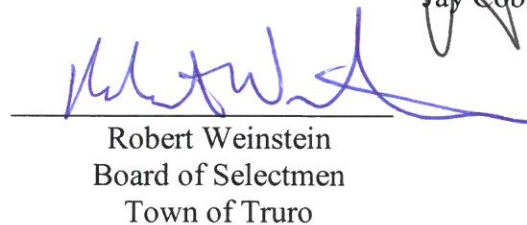
Jan Worthington, Vice-Chairman



Maureen Burgess, Clerk



Jay Coburn



Robert Weinstein
Board of Selectmen
Town of Truro

5.26.2015 Documents Used:

Agenda Request-Liaison List FY15
Agenda Request-Schematic of Ballston Beach Parking
Agenda Request-Packet Material (Elena Rice), Land Management Agreement, BoS Minutes 8/12/2014, Memo Tony Jackett 8/7/2014, Bob Lawton Memo 9/3/2014.
Agenda Request-ADA Development Area
Agenda Request-Div.of Marine Fisheries Control Plan for Oysters
Agenda Request-Interim Fire Chief
Agenda Request-FY2015 Goals and Objectives with updates for 5/6/15
Agenda Request-Staging Permits-Greg Morris and Bayberry Gardens
Agenda Request-Entertainment Application for Recreation Dept. 6.13.2015
Agenda Request-Entertainment Application Sustainable Cape and Use of Town Property, Sustainable Cape letter to BoS 5.20.2015, NYT 8.5.2014 Article: *Farmers' Market Values*
Agenda Request-ABCC Form 43 Salty Market, Retail ABCC Monetary Transmittal Form, Vote of the Corporate Board, ABCC Advisory, Retail Alcohol license for Salty Market
Agenda Request-ABCC Form 43 Truro Historical Society, ABCC Monetary Transmittal Form, Charity Wine License Application, Charity Wine Pouring Event Check List, 501c3 IRS determination letter, One Day Alcohol License application, Entertainment Application, Certificate of Solicitation, Certificate of Good Standing, TIPS Certifications, Dates of events, Dept. of Public Safety Sunay License application.
Agenda Request-Ocean to Bay Bike and Road Race Application, Letter to BoS 4.29.2015 Map of Road Race, Memo from Recreation and Beach Director.
Agenda Request-June 23rd Meeting date
Agenda Request-Applications to Serve for reappointment to Charter Review Committee, Charter Review Charge
Agenda Request-Business License Application Perry's Furniture
Agenda Request-Form 43 Payomet Inc Amended (ABCC), Payomet Incorporated with Secretary Galvin
Minutes 4.22.2015, 5.6.2015
Agenda Request- Clifton Larson Allen engagement letter 5.18.2015 (Auditors)